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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 United States of America,

10 Plaintiff,

11 v.

12 Johnathyn Jermaine Russ-Kizzee and
13 Davionte Markwon Stephens,

14 Defendant.

NO. 20-01025MJ

**MATERIAL WITNESS ORDER OF
DETENTION**

15 Defendant, Johnathyn Jermaine Russ-Kizzee and Davionte Markwon Stephens,
16 having been charged in the District of Arizona with a violation of Count One of Title 8
17 United States Code Section 1324(1)(a)(ii)(v)(I) and the Magistrate Judge having
18 determined from the affidavit of the Department of Homeland Security Customs and
19 Border Protection filed in this case, the following persons can provide testimony that is
20 material to the offense(s) alleged in the complaint:

21 Juan Gabriel Rizo-Rizo

22 Esequiel Eduardo Rocha-Rizo

23 The Magistrate Judge finds that it may become impracticable to secure the
24 presence of the witness(es) by subpoena in further proceedings because they are not in
25 the United States legally and have no legal residence or employment in this Country.

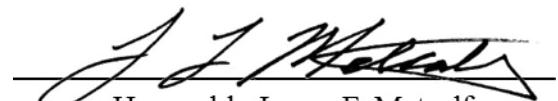
26 IT IS ORDERED that the witness(es) shall be detained pursuant to 18 USC § 3144
27 in a corrections facility separate, to the extent practicable, from persons awaiting or
28 serving sentences or being held in custody pending appeal. The witness(es) shall be

1 afforded a reasonable opportunity for private consultation with counsel.

2 Dated this 22nd day of January, 2020.

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6 Honorable James F. Metcalf
7 United States Magistrate Judge

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